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JUL 13 2006

FAX TRANSMITTAL SHEET

TO: Office of Petitions

FAX: 571-273-8300

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From: Arthur Freilich

In Re Application of: Alfred E. Mann :  
Application: 10/702,565 :  
Filed: 11/05/2003 :  
For: IMPLANTED OUTER EAR CANAL :  
HEARING AID :

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TOTAL PAGES TO FOLLOW: 3

DATE TRANSMITTED: 13 July 2006

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MESSAGE

[MANN182]

SPECIAL INSTRUCTIONS:

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DOCKFT:203/526 US MB 193; AB-375P  
APPLICATION: 10702565

1           IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2       In Re Application of:  
3       Alfred E. Mann

4       Applic.:     10/702,565

5       Filed:      11/05/2003

6       For:    IMPLANTED OUTER EAR CANAL:  
7                   HEARING AID

Renewed Petition To Accept An  
Unintentionally Delayed Claim For  
The Benefit Of A Prior-Filed Application  
via Fax: (571) 273-8300

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JUL 13 2006

8       Commissioner for Patents  
9       Alexandria, VA 22313-1450

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11       Applicants' filed a Petition on May 2, 2006 seeking the acceptance of an  
12       unintentionally delayed claim for the benefit of priority of prior-filed applications. In  
13       a Decision mailed on July 06, 2006, Applicants' Petition was dismissed because  
14       "the amendment, as worded, is improper". More specifically, the amendment was  
15       held to be improper because "it cannot directly claim benefit" to provisional  
16       applications filed more than 12 months prior to the filing date of the present  
17       application. The Decision observed, however, that a claim for benefit of priority of  
18       provisional Applications 60/327,099 and 60/327,071 "may be claimed through  
19       intermediate Application No. 10/264,937".

20       In order to rectify the deficiency of the previously filed amendment,  
21       Applicants' undersigned attorney spoke with Petitions Examiner Hicks on July 12,  
22       2006. As a consequence, a further amendment to the specification is submitted  
23       herewith which avoids the deficiency cited in the Decision.

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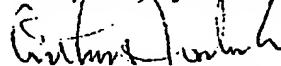
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DOCKET:203/525 US MB-103; AB-375P  
APPLICATION: 10/702565

1       Favorable reconsideration is courteously requested.  
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Respectfully submitted,



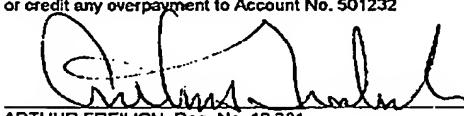
ARTHUR FREILICH  
Reg. No. 19, 281  
Attorney for Applicant(s)

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24 **DEPOSIT ACCOUNT AUTHORIZATION:**

Throughout the prosecution of this application the Patent and Trademark Office is authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 501232

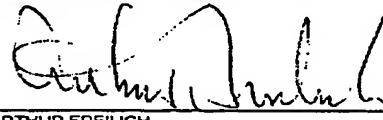


26       ARTHUR FREILICH, Reg. No. 19,281

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24 **CERTIFICATION OF FACSIMILE:**

I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-8300 addressed to: Office Of PETITIONS on 13 July 2006.



26       ARTHUR FREILICH

MANN208

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